

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Crl.Rev.Pet.No. 118 of 2007()

CRA.86/2006 of I ADDL.SESIONS COURT, ERNAKULAM
CC.926/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA
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REVN. PETITIONER: APPELLANT/ACCUSED

P.M.RADHAKRISHNAN @ THAMPI,
KALADY WEIGHING SCALES, KALADY P.O.

BY ADV. SRI.A.VIJAYAKUMAR
SRI.A.N.SANTHOSH

RESPONDENTS: COMPLAINANTS

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1. KOCHIN CHIT FUNDS, T.B.JUNCTION,
ANKAMALY REPRESENTED BY ITS PARTNER,
CHRISTOPHER FRANCIS, PAINADATH HOUSE,
KALLUPALAM ROAD, ANKAMALY.
 2. STATE OF KERALA BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 118 OF 2007

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Dated this the 14th day of February 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a compensation of Rs. 1,56,000/- to the complainant under Section 357 (3) Cr.P.C and in default to undergo simple imprisonment for a further period of three months and also to pay cost of Rs. 1000/- and in default to undergo simple imprisonment for a period of 15 days. On a consideration of the evidence adduced in the matter, I find there is no scope for interference.

2. All the same, considering the plea of the counsel for the revision petitioner/accused the sentence is modified to imprisonment till rising of the court and to pay a compensation of Rs. 1,56,000/- to the complainant under section 357 (3) Cr.P.C

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and in default to undergo simple imprisonment for another period of three months and to pay a sum of Rs.1000/- as cost and in default to undergo simple imprisonment for a period of 15 days. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate II, Aluva on 14.08.2007 to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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CRL. R.P. NO. 118 OF 2007

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